IN RE:

PETITION FOR ADMIN. VARIANCE

N/S Pheasant Cross Drive, 200'E of the c/l Densberg Road (7107 Pheasant Cross Drive) 3rd Election District 2nd Councilmanic District

Jack Weinglass Petitioner BEFORE THE

* ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 99-162-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Jack Weinglass. The Petitioner seeks relief from Sections 205.2 and 205.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1963) to permit a front yard setback of 25 feet in lieu of the required 40 feet, a street centerline setback of 50 feet in lieu of the required 65 feet, and a side yard setback of 2 feet in lieu of the required 15 feet for a proposed garage addition. The subject property and relief sought are more particularly described on the site plan submitted with the Petition and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R.

ORDER RECEIVED FOR FILING Date

Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

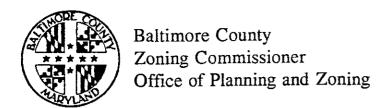
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 1998 that the Petition for Administrative Variance seeking relief from Sections 205.2 and 205.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1963) to permit a front yard setback of 25 feet in lieu of the required 40 feet, a street centerline setback of 50 feet in lieu of the required 65 feet, and a side yard setback of 2 feet in lieu of the required 65 feet, and a side yard setback of 2 feet in lieu of the required 15 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

November 18, 1998

Mr. Jack Weinglass 7107 Pheasant Cross Drive Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE

N/S Pheasant Cross Drive, 200'E of the c/l Densberg Road

(7107 Pheasant Cross Drive)

3rd Election District - 2nd Councilmanic District

Jack Weinglass - Petitioner

Case No. 99-162-A

Dear Mr. Weinglass:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

MRYLAN	for the property lo	cated at	X7107	Pheasaut (mss A
			T.	which is presently zon	ed DR
The undersigne hereto and made	all be filed with the Dept. of it, legal owner(s) of the property se a part hereof, hereby petition for AFRONTYHLD SETBACKET CENTER LINE AND	situate in Baltimor a Variance from S	re County and whice Section(s) 205	h is described in the descripti	BUZR (19
Property is to I, or we, agree to	gulations of Baltimore County, to the Parker of Burney Flexes of above Variance zoning regulations and restriction	of and of the mes I come advertising, pos	Sprogle Ceneral e'S - Je Have Exp d by Zoning Re ting, etc., upon filir	Lad My Cur's gulations.	ut all erape Ca 13 Broke to Grate
Legal Own JAUN (Type grant Name)	K WEINGHASS		I/We do solemnly diegal owner(s) of the	eclare and affirm under the penalties or property which is the subject of this Pel	f perjury that (/we are totton.
Signature 7/07 Address	PHEASANT	CRUSS DK	Signature (Type or Print Name)		
City Attorney for Petitioner	MONG MD VI	Zipcode	Signature		
(Type or Print Name)			Address		Phone No
Signature			City Name, Address and p	State chone number of representative to be	Zipcode contacted
Address	Рітоле No		Name	3	

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Saltimore County, this that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner at Saltimore County



City

ESTIMATED POSTING DATE:

State



Zipcoae

Printed with Soybean Trik on Recycled Paper



Phone No

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	7107 PHEAS	ANT (ROSS	DRIVE
. ad	BALTIMOR Car	@, MD 21	209
That based upon personal knowledge, the following Variance at the above address: (indicate hardship oxpra The Revor Ha	ig are the facts upon which I stock difficulty)	(we base the request for an a	Administrative
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into several To	mes. I Ho	re Expense	he Carls
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	•		
	,		
That Affiant(s) acknowledge(s) that if a protest is may be required to provide additional information. (signature) ACIC WEINGMS (type or pnot name) STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, person Jack Weinglass	ORE to wit:	lignature) pe or print name) 98, before me, a Notary	
the Affiants(s) herein, personally known or satisfacthat the matters and facts hereinabove set forth are AS WITNESS my hand and Notarial Seal.	torily identified to me as suc true and correct to the best	th Affiantt(s), and made oath of his/her/their knowledge a	in due form of law nd belief.
16-9-98	NOTARY PUBLIC	le GN	
1 (V)	My Commission E	Expires: 4-9-0	2_

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 7/07 VHEASANI (ROSS DRIVE)
BACTIMORE, MD 21209 City State 700000
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
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Plus Tener letter of Tranks) Hed and Cu Broker late
Several times I have Expensive Carle & Restert
Also Security Patrial was just Patrick aren and
·
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information
type or print name) (signature) (type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wil:
I HEREBY CERTIFY, this day of Sept., 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Jack Weinglass
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief
AS WITNESS my hand and Notarial Seal.
date NOTARY PUBLIC
My Commission Expires

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	which is presently zoned
his Petition shall be filed with the Dept. of Permits & Deve	lopment Management e County and which is described in the description and plat attached Section(s), 205. 2 To Permit a Front And 205. 3 BCZR 1963 Ft and a 50 Ft in liew of 65 Ft - Setback of 2ft in liew of 15 Ft
The undersigned, legal owner(s) of the property situate in Baltimor	e County and which is described in the description and plat attached
sereto ano made a part nereor, nereby petition for a variance from S	section(s), 205. 2 To Permot a Front
see book of 40!	Ft and a 50 FT 1963
Street Centuline and a side yard	Setback of 2#
•	the lieu of 15 FH
in the zoning negulations of ballignore County, to the zoning Law of	Baltimore County; for the following reasons: (indicate hardship or
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minal of such and and	wal! Bet into Borrage (un!
The Leaves folling of Tree	e. I Had My Car Braker in
Seval Kenes Ilhane	expensive las's to protect
Property is to be posted and advertised as prescribed	d by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, post	ting, etc., upon filing of this petition, and further agree to and are to
e bound by the zoning regulations and restrictions of Baltimore Co	unty adopted pursuant to the Zoning Law for Baltimore County.
•	
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the
Legal Owner	legal owner(s) of the property which is the subject of this Petition
and the Dural Consecutions of the Consecution of th	
JACK WEINGLASS	
ype or Print Name)	(Type or Print Name)
Vack Weinglass	
gnature	Signature
THE PHEASANT (PIEC NO	og marc
1101 (UDAJA) CKUSS DIC	THE HAND THE PARTY OF THE PARTY
A 115	(Type or Print Name)
DALLIMORE MD 2/209	
State Zipcode	Signature
torney for Petrtioner	
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	City State Zipcode
gnature	Name, Address and phone number of representative to be contacted
ddress Phone No	None
Figure NO	Name
ty State Zipcode	Address Phone No
•	- your no
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Public Hearing having been requested and/or found to be required, it is ordered t	by the Zoning Commissioner of Baltimore County, thisday of

ESTIMATED POSTING DATE:



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Northside of
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Pheasaut Cross which is which is which is name of street on which property fronts) [north, south, east or west) which is which is feet of right-of-way width) contact the south of the street on which property fronts of the south of the street of the south of the
name of street on which property froms)
wide at the distance of (north_south_east or west)
centerline of the nearest improved intersecting street
which is 50 wide. "Being Lot #,
Block, Section in the subdivision of (name of subdivision)
Folio # 143,
containing (square feet or acres) Also known as (property address)
and located in the 03_Election District, 02_Councilmanic District.

PAID MEETPT THE CONTROL OF THE SERVER TO SERVER TO SERVER TO SERVER THE SERVE	CR.NO. 040720 SO.00 CR.UY NOLLINOVE COURTY, BAYLYND	A. 162.A	CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAI No. 060720 FRE OFFICE OF BUDGET & FINANCE NISCELLANEOUS RECEIPT JU 10016150 FREE 10 15/28 ACCOUNT ROOTE 10 15/28	ED . (LELL M. C. 1855		DISTRIBUTION WHITE - CASHIER WHITE - CASHIER

CERTIFICATE OF POSTING

RE: Case # 99-162-A
Petitioner/Developer:
(Jack Weinglass)
Date of-Hearing/Closing:
(Nov. 9, 1998)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21264

Attention: Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) re	quired by
law were posted conspicuously on the property located at	
7167 Pheasant Cross Drive Baltimore, Maryland 21268	
The sign(s) were posted onOct. 24, 1998	
(Month, Day, Year)	

Sincerely, (Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 99-162-A
Petitioner: Tack Weinglass
Address or Location: 7107 Phoaoant Cross Dr.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Jack Weinglass
Address: 7107 Pheasant (ross DC
Baltimore MD 21209
Telephone Number: 410 - 747 - 5910

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case No	umber 99-	162	-A	Address _	7/07	PHEASPINT CL	Pass DR.
Contact	t Person: _	LEWI) Planner	ς			Phone Number:	
		Planner	, Please Print Your	Name .	, ,		NOV.
Filing D	Date: <u>//</u>	115/98	_ Pos	ting Date: _	<u> 19 25 98</u>	Closing Da	ite: 57/6,9
Any cor	Filing Date: 10/15/98 Posting Date: 10/25/98 Closing Date: 45/98 Posting Date: 45/98 Closing Date: 45/98 Posting Date: 45/98 Closing Date: 45/98 Posting Date: 45/98 P						ance should be
re re is p	POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.						
а	a formal rec	quest for a p	oublic hearing	g. Please ι	understand	or owner within 1 that even if the e closing date.	
C 0 (1	commissione order that the typically with	er. He may: he matter be hin 7 to 10 da	(a) grant the e set in for a ays of the clo	ne requested a public hea osing date) a	relief; (b) o aring. You is to whethe	y the zoning or leny the request will receive wri r the petition has you by First Cla	ted relief; or (c) tten notification s been granted,
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.							
			(Deta	ach Along Dotted Li	ine)		
Petition	ner: This P	art of the Fo	rm is for the	Sign Poste	r Only		
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT							
Case Number 99- 162 -A Address 7/07 PHEASPWT CROSS DR							
Petitioner's Name VALK WEINGLASS Telephone 747 59 10							
Posting Date: 10/25/98 Closing Date: 11/10/99							
Wording for Sign: To Permit To PERMIT A 25 FT FRONT YARD MAID 50 FT STREET							
CENTERLINE SEPERCE IN LIEU OF 40 FT AND 65 FT, MINIMUM AND A							
2FT SIDE SETBACK IN LIEU OF 15 FT FOR A PROPOSED ADDITION.							
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Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

OCTOBER 29, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 26, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

153, 154, 155, 158, 161, 162, 163, 164, 166, 167, AND 170

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Partis N. Glendening Governor David L. Winstead Secretary Parker F. Williams Administrator

Date: 10.27.91

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County RE:

Item No. 162 JLL

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Soll

16- Michael M. Lenhart, Acting Chief Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Date: November 16, 1998

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 162 & 191

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Jeffrey M. Long

Section Chief:

AFK/JL

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

To:

MOP

FROM:

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date:

The Department of Environmental Protection & Resource Management has no comments for the following Zaning Advisory Committee Items:

Item #'s:

RES:sp

BRUCE2/DEPRM/TXTS8P

162

To Whom it may concern,	
We, Rto + Shalen Shopen, 1	ocated at 710 PULMENT GROSS PRICE
give Jack Weinglass, located at 7107 Pheasant Cross	s, permission to construct a garage within one
foot of the property line and approximately twenty f	feet from the front property line on the current
driveway side of the house.	
Signed:	Date: (0-10-98

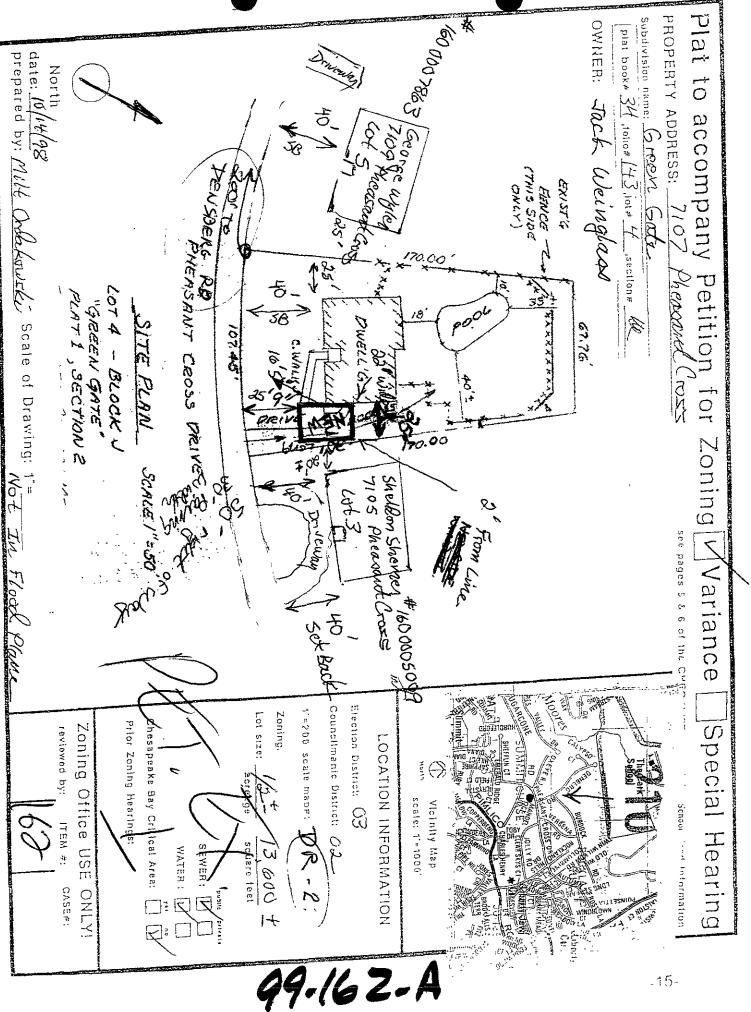
We, GEORGE + AVA WYLER, located at 7109 PHEASANT CROSS DR.

give Jack Weinglass, located at 7107 Pheasant Cross, permission to construct a garage within one foot of the property line and approximately twenty feet from the front property line on the current driveway side of the house.

Signed:

Ava Wylu

10/9/99



6/24/71

-15-





163

11/160



168

